

OFFICIAL FILE

I.C.C. DOCKET NO. 04-0610

NLU ~~Company~~ Exhibit No. 3

Witness Hanson

Date 4/5/05 Reporter P.W.

New Landing Compliance Issues and Completion Dates
July 12, 2001

603.103
Ex. 680.

1. Obtain the services of a certified operator to be the Certified Operator in Responsible Charge of the water system. Duties to included, but not limited to, perform required sample collection, routine monitoring and operation of the water system to comply with IPCB and IEPA regulations. Officially notify the Agency that a certified operator in responsible charge is employed by submitting a completed "Notification of Certified Operator in Responsible Charge" form to the Agency. The notification form must be signed by the certified operator and owner of the utility. The form must indicate that the certified operator is in responsible charge of the treatment plant and distribution system. The "Notification of Certified Operator in Responsible Charge" form must be on record in the Agency headquarters to be considered to be in compliance. Submit completed "Notification of Certified Operator in Responsible Charge" form to Agency headquarters within 5 days. **(This is now a federal requirement.)**
2. Obtain fluoride ion and chlorine residual test equipment, provide all required chemical reagents, and maintain the equipment so as to perform the required daily testing. Fully Comply within 30 days. Ongoing maintenance and use required.
3. Operate the chlorine chemical feed system in order to maintain a chlorine residual of at least 0.2mg/L free chlorine residual; or a minimum of 0.5 mg/L combined chlorine residual in all sections of the distribution system at all times. Document that an adequate chlorine residual exists by performing and recording results of chlorine residual tests for water samples collected at representative locations in the entire distribution system at regular and frequent intervals. Comply immediately. Ongoing requirement.
4. Install flushing hydrants at each dead ended watermain, and operate them as necessary to maintain the chlorine residual noted above, and to flush sediments or other contaminants from the system when needed. Flushing is required after watermains are disinfected following any repairs to remove contaminants; to periodically to remove sediments; and as needed to maintain an adequate chlorine residual. As a minimum, hydrants must be installed at the ends of White Pine Drive; Timber Trail; the east end of the Locust and Corkscrew roads; Ash; south intersection of Oak and Woodland roads; Maple; and Williams road. **(These are all in the eastern section of the utility service area.)** Valves are needed at each hydrant, and valves may be needed to isolate each of these portions of the distribution system to accommodate repairs and to prevent area wide outages to accommodate repairs. Complete installation of all hydrants with 360 days.
5. Establish a cross connection control condition of service rule, and establish an ongoing cross connection control survey program. Submit a copy of the cross connection control condition of service rule to the Agency within 60 days. Perform a cross connection control survey and require installation of the appropriate approved backflow devices at locations where they are required; maintain a record of all required backflow devices and installation locations and annual test results; and assure that each device that requires annual testing is tested annually. Discontinue water service to customers who fail to install a required backflow device or fail to perform annual backflow devices until each device requiring annual testing passes the test and is operational.

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Note:

1. ICC may have to add the cross connection control condition of service clause into the Utilities certificate of convenience. I have asked ICC for clarification, but have not received a reply.
2. (Backflow devices at this system are anticipated to be required only for those homes that have in-ground lawn sprinkler systems, and potentially at the sewer treatment plant, assuming water service is provided to the sewer treatment plant)

6. Storage tank issues:

- Provide an acceptable overflow for the elevated storage tank. The overflow must be adequately sized and must terminate within 12 to 24 inches above ground level, discharging to a splash plate. The overflow discharge opening must be adequately screened to prevent contaminants from entering the storage tank. Complete within 360 days.
- Paint the storage tank with approved materials and methods that conform to the American Water Works Standards Section D102-97 for coating steel structures. Complete within 360 days.
- Restrict access to the storage tank and tower to prevent vandalism and tampering. Complete within 360 days.

Note: (May allow construction of a replacement tank in lieu of above overflow and painting requirement if they choose to) Allow 360 days to obtain permits, complete construction and obtain the operating permit.

7. Have a registered professional engineer submit "As built" plans along with satisfactory bacteriological sample results for replacement of the well pump installed in Well #9. The "As Built" plans must reflect the actual equipment installed and completed project must conform to all current construction standard to be acceptable to the Agency. Obtain "As built" plan approval within 90 days.
8. Submit monthly operating reports to the Agency Rockford Regional Office within 15 days after the end of each month. The completed reports must include a record of the amount of water pumped each day, the type and amount of chemicals applied to the water each day, the calculated chlorine and fluoride chemical concentration, routine finished water chlorine residual test results, routine chlorine residual test results of samples collected from representative locations of the entire distribution system, daily finished water fluoride test results. The completed reports must be signed and dated by the Certified Operator in Responsible Charge. Ongoing requirement.

9. Prepare and distribute complete Consumer Confidence Reports to each individual water user in the Utility service area, within the required time frame each year. Submit a copy of the CCR, along with certification that the report was produced and distributed, as required every year. Note: (The CCR is a federal requirement – It should probably have a higher priority than here, but this is how I view it as less important than the safe operation and preventative actions for assuring that the water is system.)
10. Seal inactive wells. The wells are a route for contaminants to pollute the aquifer and must be sealed with 90 days.

(I do not have a good location to describe the abandoned wells that have not been sealed.) I have been to the well #8 site which the utility operated until recently. Minimally they have to abandon #8. The remainder also have to be abandoned, but may need to go to Public Health if the wells are found to be owned by the homeowners assn. or lot owners whose property they are on. Best estimate for inactive well locations are:

WELL	SEC	TWP	RANGE	DESCRIPTION	NOTES
Well 1	Sec 9	T 22N	R 10E	1300 ft N and 150 ft E of SW corner	
Well 2	Sec 9	T 22N	R 10E	1000 ft N and 600 ft E of SW corner	
Well 4	Sec 9	T 22N	R 10E	1150 ft N and 1000 ft E of SW corner	
Well 5	Sec 9	T 22N	R 10E	1200 ft N and 1500 ft E of SW corner	Was called Well 10
Well 6	Sec 9	T 22N	R 10E	1500 ft N and 1300 ft E of SW corner	
Well 7	Sec 9	T 22N	R 10E	1950 ft N and 500 ft E of SW corner	
Well 8				120 Flagg Road	Recently inactivated

The Lost Nation homeowners group is trying to put together a map to pinpoint the well locations.

Comment on issues discussed with you, not specified in the complaint:

1. The Agency has not included requiring replacement of existing undersized watermain in the development in this complaint. An exception from replacing existing watermain exists in the Agency regulations (35IAC Section 653.203) as long as the minimum pressure of 20 psi can be maintained. Sections of watermain must be replaced with materials that meet current minimum requirements if pressure in the subject watermain cannot be maintained above 20 psi, or if sections fail and require replacement. Minor repairs to existing undersized watermain are permitted to be made without replacement of all undersized watermain that exist in the system. This exception applies to all community water system in Illinois.
2. The Agency has not required New Landing Utility to install a second well. 35 IAC 654.202c permits a single well if it is adequately sized. The Utility must realize that a water outage can occur, and that a boil order must be issued if the sole well pump is replaced and returned to service prior to obtaining satisfactory water samples showing no bacterial growth on two consecutive days, or if pressure drops below 20 psi in any portion of the system for any length of time. A second well sized to meet the maximum day demand is strongly recommended. A second well will be required if the reliability of the existing single well causes frequent or extended water outages.
3. Collect monthly bacteriological samples according to the sample site plan requested by the utility. Assure that samples are periodically collected from all portions of the distribution system that is served by the Utility.

(Re Armstrongs' letter recently cc'd to you notes that he instructed his sample collector to not collect any samples from the eastern portion of the system. A copy of my request to update the sample site plan after a discussion with the utility employee is in a separate e-mail attachment. The sample site plans issued to New Landing in 1990 and 1995, included a sample site in the eastern area where Armstrong currently refuses to sample. The site in the eastern section for the early plans were requested by previous Utility manager, Don Finch. (Finch also works for the consulting engineering company usually employed by the Utility.)

Sample results on file dating back to January 20, 1997 show that samples were collected from the eastern section of the water system during a total of five months between January, 1997 to date. All samples collected from the east section were collected between 1997 and January 1998. No other samples were collected from the east section of the system, which demonstrates that water is not routinely being tested from that area. Sampling the east portion of the system between three to five times in a calendar year is satisfactory, which also allows representative sampling in other portions of the system. The goal is to periodically monitor water in all of the system to assure contamination does not go undetected in any given area for an extended period of time.